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Attorneys for Plaintiff
BILL GRAHAM ARCHIVES LLC
D/B/A WOLFGANG'S VAULT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

BILL GRAHAM ARCHIVES LLC, d/b/a
WOLFGANG'S VAULT

Plaintiff,

v.

MARWAN ZEIDAN d/b/a THE POSTER
SHOP CAFÉ; HAIGHT ASHBURY
POSTERS, INC., a California Corporation;
AFTERTHOUGHT ENTERPRISES; and
DOES 1-25.

Defendants.

Case No. 11-cv-4916 SBA

JOINT STIPULATION AND ORDER

WHEREAS, Counsel for Bill Graham Archives LLC ("BGA"), on the one hand, and
Marwan Zeidan ("Zeidan") and Haight Ashbury Posters, Inc. ("HAP") (both collectively the "U.S.
Defendants"), on the other hand, have conferred regarding preliminary relief in this matter;

1 WHEREAS, BGA has filed this lawsuit to enforce its copyrights in concert posters (“BGA
2 concert posters”), including but not limited to those identified in Exhibit B to the Declaration of
3 Katherine York in support of Plaintiff’s Motion for TRO, Docket No. 7, filed in support of BGA’s *ex*
4 *parte* Motion for Temporary Restraining Order and Order to Show Cause Why a Preliminary
5 Injunction Should Not Issue, Docket No. 4 (“Motion for TRO”);

6 WHEREAS, the U.S. Defendants represent that they purchased certain posters for display
7 and sale without knowledge of the unauthorized reproduction that BGA claims violates its
8 copyrights;

9 **NOW THEREFORE**, BGA and the U.S. Defendants hereby stipulate as follows pending
10 resolution of this litigation:

11 Immediately upon execution of this stipulation, and until this litigation is resolved, the U.S.
12 Defendants shall cease buying, selling, displaying or otherwise distributing any unauthorized
13 reproductions of the posters that BGA identifies for the U.S. Defendants;

14 Within five business days of execution of this stipulation--or, promptly upon discovering any
15 such document in the future--the U.S. Defendants shall provide BGA’s counsel with a copy of any
16 catalogue that lists, displays, or offers for sale unauthorized reproductions of BGA concert posters
17 (including without limitation those identified by BGA) on any products, including without limitation
18 posters or stickers, to the extent the U.S. Defendants have not done so already;

19 Within five business days of execution of this stipulation, the U.S. Defendants shall permit a
20 BGA representative to view its entire inventory (including without limitation posters, stickers, and
21 t-shirts) at U.S. Defendants business operations, including: Haight Ashbury Posters at 1448 Haight
22 Street, San Francisco, CA, and The Poster Shop Café at 1821 Haight Street, San Francisco, CA, and
23 any other location where the U.S. Defendants store inventory. This inspection shall begin at
24 8:00 a.m. on a mutually convenient date within the specified time frame, and shall last no longer
25 than one hour. In the unlikely event that more than one hour is required to complete this procedure,
26 the inspection shall resume immediately following the respective business’s hours of operations.
27 During this inspection, the BGA representative may make an inventory of unauthorized
28 reproductions of BGA concert posters in the possession of the U.S. Defendants, if any;

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If, following this inventory, BGA identifies any additional unauthorized reproductions of the BGA concert posters, the U.S. Defendants shall promptly, and no later than within two business days, upon notice thereof cease buying and displaying, and shall refrain from selling or otherwise distributing, such unauthorized reproductions.

The U.S. Defendants shall preserve all evidence of display, transfer, purchase or sale of any unauthorized reproductions of BGA concert posters, including without limitation all invoices, packing slips, sales receipts, correspondence or other communications with Afterthought or any other supplier of reproductions of the BGA concert posters; the unauthorized reproductions themselves; and any other documents relevant to this lawsuit pending its outcome.

This stipulation resolves the relief requested by Plaintiff in its pending *ex parte* motion for temporary restraining order (Dkt. 4) as to the U.S. Defendants. In the past several days Plaintiff has been able to locate and complete service on Defendant Afterthought Enterprises. Plaintiff will file proofs reflecting this service and a new proposed order on its pending *ex parte* motion for temporary restraining order addressing relief as to Defendant Afterthought Enterprises.

This stipulation notwithstanding, BGA specifically reserves all rights and remedies available to it pending a final resolution of this litigation.

Dated: November 21, 2011

WINSTON & STRAWN LLP

By: /s/
Jennifer A. Golinveaux

Attorneys for Plaintiff

Dated: November 21, 2011

HAAPALA THOMPSON & ABERN, LLP

By: /s/
Benjamin Thompson

Attorneys for Defendants
Haight Ashbury Poster Shop, Inc. and
Marwan Zeidan
d/b/a Poster Shop Café

1 I, Jennifer A. Golinveaux, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the
2 concurrence to the filing of this document has been obtained from each signatory hereto.

3 By: /s/
4 Jennifer A. Golinveaux


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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/28/11



The Honorable Sandra Brown Armstrong
United States District Court Judge

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